

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

FORT WORTH CITY CREDIT UNION,

Defendant.

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Civil Action No. 2:16-cv-1048-JRG

**PLAINTIFF’S ANSWER TO COUNTERCLAIMS OF
DEFENDANT FORT WORTH CITY CREDIT UNION**

Plaintiff Textile Computer Systems, Inc. (“Plaintiff”) files this answer to the counterclaims (Dkt. 10) of Defendant Fort Worth City Credit Union (“Defendant”) based on its own knowledge and own actions and based on information and belief as to all other matters, as follows. Any allegation not specifically admitted is denied.

NATURE OF THE ACTION¹

1. Plaintiff admits that Defendant seeks to assert counterclaims that the patents asserted by Plaintiff are invalid and/or not infringed by Defendant.

JURISDICTION AND VENUE

2. Plaintiff admits that this Court has subject matter jurisdiction over Defendant’s counterclaims and that venue is proper in this Court.

PARTIES

3. Admitted.

¹ All headings herein are taken from Defendant’s counterclaim pleading and are included in this answer to those counterclaims for purposes of clarity. To the extent any allegations are separately made by Defendant in those headings, those allegations are denied.

4. Admitted.

ACTS GIVING RISE TO THE COUNTERCLAIM

5. Admitted.

6. Admitted.

7. Denied.

COUNT ONE

Declaratory Judgment of Unpatentability of U.S. Patent No. 8,505,079

8. In response to the allegations in this paragraph, Plaintiff incorporates its answers to paragraphs 1 through 7 of Defendant's counterclaims as if set forth fully herein.

9. Denied.

COUNT TWO

Declaratory Judgment of Invalidity of U.S. Patent No. 8,505,079

10. In response to the allegations in this paragraph, Plaintiff incorporates its answers to paragraphs 1 through 9 of Defendant's counterclaims as if set forth fully herein.

11. Denied.

COUNT THREE

Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,505,079

12. In response to the allegations in this paragraph, Plaintiff incorporates its answers to paragraphs 1 through 11 of Defendant's counterclaims as if set forth fully herein.

13. Denied.

COUNT FOUR

Declaratory Judgment of Unpatentability of U.S. Patent No. 8,533,802

14. In response to the allegations in this paragraph, Plaintiff incorporates its answers to paragraphs 1 through 13 of Defendant's counterclaims as if set forth fully herein.

15. Denied.

COUNT FIVE

Declaratory Judgment of Invalidity of U.S. Patent No. 8,533,802

16. In response to the allegations in this paragraph, Plaintiff incorporates its answers to paragraphs 1 through 15 of Defendant's counterclaims as if set forth fully herein.

17. Denied.

COUNT SIX

Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,533,802

18. In response to the allegations in this paragraph, Plaintiff incorporates its answers to paragraphs 1 through 17 of Defendant's counterclaims as if set forth fully herein.

19. Denied.

JURY DEMAND

Plaintiff demands a trial by jury on all matters raised in Defendant's counterclaims and by Plaintiff in its Complaint. Plaintiff denies that Defendant is entitled to any relief against Plaintiff, including but not limited to the relief requested in Defendant's counterclaims.

Dated: December 8, 2016

Respectfully submitted,

/s/ Stafford Davis
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**ATTORNEYS FOR PLAINTIFF
TEXTILE COMPUTER SYSTEMS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 8th day of December, 2016.

/s/ Stafford Davis
Attorneys for Plaintiff